

Proceedings of the Special Town Meeting

October 30, 2018

Pursuant to the foregoing warrant, the legal voters of the Town of Ashburnham met at Overlook Regional Middle School Team Room, 10 Oakmont Drive, Ashburnham, on October 30, 2018. Moderator Keith Glenny presided at the meeting which was called to order at 7:10 P.M. The Pledge of Allegiance was recited.

ARTICLE 1

To see if the Town will vote to transfer from the Capital Improvement Fund the sum of \$88,555 to fund the recommendation of the Capital Planning Committee and to be spent under the supervision of the Ashburnham-Westminster Regional School District for the following districtwide capital projects:

1	37,680	Security System Phase 2
2	5,770	Section C – Exterior Board Replacement
3	11,047	Section D – Exterior Board Replacement
4	4,230	Generator Fuel Tank
5	16,975	Locker Replacement – 7 th Grade Wing
6	8,003	Ride on Floor Scrubber
7	4,850	Replace Flooring

or act in relation thereto.

MOTION MADE BY:

John

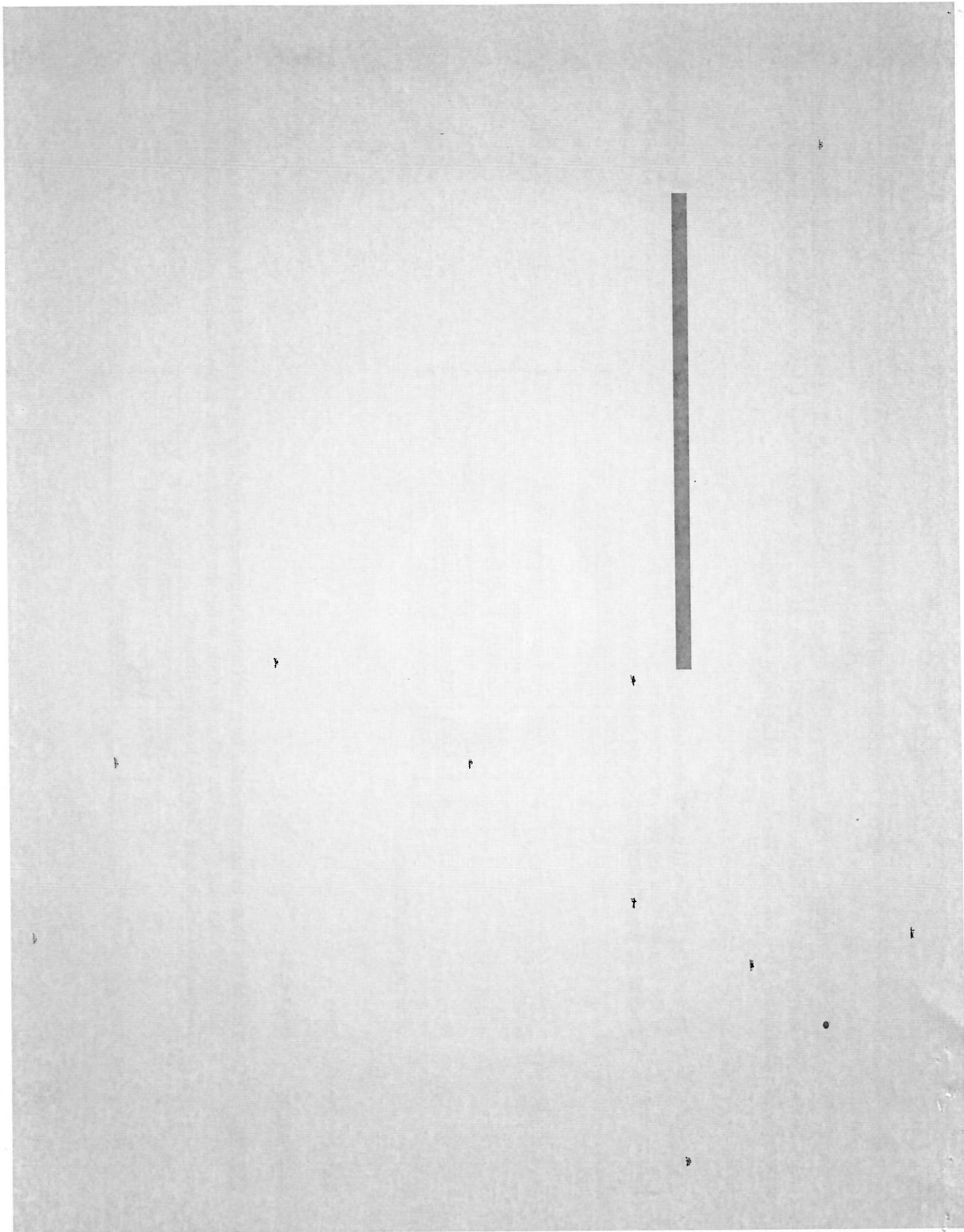
SECONDED BY:

Rosemarie

MOTION:

I move the Town to vote to transfer from the Capital Improvement Fund the sum of \$88,555 to fund the recommendation of the Capital Planning Committee and to be spent under the supervision of the Ashburnham-Westminster Regional School District for the following districtwide capital projects:

1	37,680	Security System Phase 2
2	5,770	Section C – Exterior Board Replacement



3	11,047	Section D – Exterior Board Replacement
4	4,230	Generator Fuel Tank
5	16,975	Locker Replacement – 7 th Grade Wing
6	8,003	Ride on Floor Scrubber
7	4,850	Replace Flooring

SELECTMEN RECOMMEND: Yes	ADVISORY RECOMMEND: YES	CAPITAL PLAN COMMITTEE RECOMMEND: YES	TAX RATE IMPACT: ---
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EXPLANATION:

The Capital Improvement Committee is working on drafting the new plan for the next five years, taking into consideration necessary school capital improvements and seeing how AWRSD and the Town Capital can fit together. In the meantime, AWRSD has submitted their five year plan and it has already been approved by Westminster for FY19.

Capital Improvement Fund Balance - \$629,984.71.

ARTICLE 1 VOTED:

On a motion of John Mulhall to vote to transfer from the Capital Improvement Fund the sum of \$88,555 to fund the recommendation of the Capital Planning Committee and to be spent under the supervision of the Ashburnham-Westminster Regional School District for districtwide capital projects.

MAJORITY VOTED:

Yes

ARTICLE 2:

To see if the Town will vote to transfer from the Capital Improvement Fund the sum of \$140,132 to fund the recommendation of the Capital Planning Committee to include the following:

1	28,813	Hot Box
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2	71,500	SCBA Gear (3 year lease to purchase- replaces outdated gear)
3	39,999	Volvo Loader (5 year lease to purchase – replaces 2003 loader)

and to authorize the Board of Selectmen to enter into lease purchases for the SCBA Gear (Item #2) for up to three (3) years, and the Volvo Loader (Item #3) for up to five (5) years, and to sell, trade in or otherwise dispose of any equipment being replaced, or act in relation thereto.

MOTION MADE BY: Rosmarie

SECONDED BY: Kyle

MOTION:

I move the Town to vote to transfer from the Capital Improvement Fund the sum of \$140,132 to fund the recommendation of the Capital Planning Committee to include the following:

1	28,813	Hot Box
2	71,500	SCBA Gear (3 year lease to purchase- replaces outdated gear)
3	39,999	Volvo Loader (5 year lease to purchase – replaces 2003 loader)

and to authorize the Board of Selectmen to enter into lease purchases for the SCBA Gear (Item #2) for up to three (3) years, and the Volvo Loader (Item #3) for up to five (5) years, and to sell, trade in or otherwise dispose of any equipment being replaced.

SELECTMAN	ADVISORY	CAPITAL PLAN COMMITTEE	TAX RATE
RECOMMEND:	RECOMMEND:	RECOMMEND:	IMPACT:
Yes	Yes	Yes	-

EXPLANATION:

The second article is a request for \$140,132 in order to purchase three needed sets of equipment for the Town. In order to purchase the most items needed, the Capital Improvement Committee has considered financing options for 2 out of 3 of the

purchases. At the ATM in May, the Town transferred \$185,604 to the Capital Improvement Fund for appropriation in the Fall.

ARTICLE 2 VOTED:

On a motion of Rosemarie Eldridge Meissner to request \$140,132 to purchase three needed sets of equipment for the Town. The three sets of equipment are Hot Box, SCBA Gear, and Volvo Loader.

Two thirds vote passed.

ARTICLE 3

To see if the Town will vote to transfer from available funds the sum of \$25,000 to fund a Pavement Management Plan or act in relation thereto.

MOTION MADE BY:

Kyle

SECONDED BY:

John

MOTION:

I move the Town to vote to transfer from the Stabilization Fund the sum of \$25,000 to fund a Pavement Management Plan Update.

SELECTMEN	ADVISORY	CAPITAL PLAN COMMITTEE	TAX RATE
RECOMMEND:	RECOMMEND:	RECOMMEND:	IMPACT:
Yes	Yes	Yes	--

EXPLANATION:

Articles 3-7 utilize stabilization because Free Cash is not yet available for appropriation. As a result, each of these articles will require a 2/3rds vote.

Stabilization is being used in lieu of free cash to cover the costs of these articles. Preliminary free cash estimates more than cover the total amounts in articles 3-7. The current balance of Stabilization is \$371k. It is the intent of the financial officials to replenish stabilization with Free Cash at Annual Town Meeting.

This article is a request to transfer \$25,000 to cover the costs of hiring a consultant to update our most recent pavement management plan. This would allow an update and survey on the current status of the roads, an additional analysis of options on ways to maintain roads, and a look at usage of roads. The end product would be an updated plan on which roads should be tackled, in which order, and by what method within our budgetary allowances over the next few years.

ARTICLE 3 VOTED:

On a motion of Kyle Johnson to transfer \$25,000 to cover the costs of hiring a consultant to update our most recent pavement management plan.

Article 4 Passed

To see if the Town will vote to transfer from available funds the sum of \$5,800 to replace the Police Department's Gun Cleaning System that has come to the end of its life, or act in relation thereto.

MOTION MADE BY:

John

SECONDED BY:

Rosemarie

I move the Town to vote to transfer from the Stabilization Funds the sum of \$5,800 to replace the Police Department's Gun Cleaning System.

SELECTMAN	ADVISORY	CAPITAL PLAN COMMITTEE	TAX RATE	IMPACT:
RECOMMEND:	RECOMMEND:	RECOMMEND:	Yes	—
Yes	Yes	Yes	Yes	Yes

EXPLANATION:

This article is to request a transfer of \$5,800 to replace the PD's Gun Cleaning System. The PD maintains about \$40k worth of handguns, patrol rifles, shotguns, and related equipment. The machine they have is out of service, beyond repair and no longer maintained by the manufacturer. The requested heavy duty machine uses ultrasonic heat to clean and is comparable to the current unit and will clean and lubricate the equipment.

On a motion of John Mulhall to vote to transfer from the Stabilization Funds the sum of \$5,800 to replace the Police Department's Gun Cleaning System.

Article 4 Voted:

TWO THIRDS VOTE

PASSED

ARTICLE 5

To see if the Town will vote to transfer from available funds the sum of \$35,000 to replace/Repair Town Hall's Gutters, or act in relation thereto.

MOTION MADE BY: Rosemarie

SECONDED BY: Kyle

MOTION:

I move the Town to vote to transfer from the Stabilization Fund the sum of \$35,000 to replace/Repair Town Hall's Gutters

SELECTION	ADVISORY	CAPITAL PLAN COMMITTEE	TAX RATE
RECOMMEND:	RECOMMEND:	RECOMMEND:	IMPACT:
Yes	Yes	Yes	---

EXPLANATION:

This is a request for \$35,000 to repair/replace Town Hall's gutter system. Our custodian is concerned about the current gutters and the water damage that is incurring inside of the building due to faulty gutters. Based on the professional assessment, in addition to installing the new gutters, the existing slate at the end of the roof will need to be pulled back and ice and water shield needs to be installed to allow for a watertight installation of the roof brackets. Any slate that is removed will subsequently be replaced. The existing internal gutters will be covered as well to ensure proper bypassing of them so water flows into the new external gutters. This project was just raised to a level of urgency and will require Capital Improvement Committee's review and recommendation.

ARTICLE 5 VOTED: On a motion of Rosemarie Eldridge Meissner to vote to transfer from the Stabilization Fund the sum of \$35,000 to replace/repair the Town Hall's Gutter system.

Two Thirds Vote Passed

ARTICLE 6

To see if the Town will vote to transfer from available funds the sum of \$50,000 to fund a new position at the DPW from January through June 2019, or act in relation thereto.

SECONDED BY: Kyle Johnson

SECONDED BY: John ~

MOTION:

I move the Town to vote to transfer from the Stabilization Fund the sum of \$50,000 to fund a replacement position at the DPW from January through June 2019.

SELECTMEN	ADVISORY	CAPITAL PLAN COMMITTEE	TAX RATE
RECOMMEND:	RECOMMEND:	RECOMMEND:	IMPACT:
Yes	Yes	N/A	--

EXPLANATION:

One of the ongoing conversations for FY19 has been infrastructure and staffing levels at the DPW to maintain the current infrastructure. In order to be prepared for future retirements in the DPW and to provide more staffing for the ever increasing workload of the DPW, we propose a new DPW position beginning in January 2019. This will allow for funding in the department to hire a new employee and cover wages and full-time benefits (\$10K+) for a sixth month period, this will be continued to be funded in the FY20 budget. The amount requested is \$50k.

ARTICLE 6 VOTE:

On a motion of Kyle Johnson to vote to transfer from the Stabilization Fund the sum of \$50,000 to fund a new position at the DPW from January through June 2019.

This Article 6 was passed!

ARTICLE 7

To see if the Town will vote to transfer from available funds the sum of \$20,000 to the Town's Other Post Employment Benefits (OPEB) Trust, or act in relation thereto.

MOTION MADE BY: John

SECONDED BY: Rosemarie

Motion: I move the Town to vote to transfer from the Stabilization Fund the sum of \$20,000 to the Town's Other Post Employment Benefits (OPEB) Trust

SELECTMEN RECOMMEND:	ADVISORY RECOMMEND:	CAPITAL PLAN COMMITTEE RECOMMEND:	TAX RATE IMPACT:
Yes	Yes	N/A	--

EXPLANATION: In order to continue to try to work towards meeting our obligations, we continue our Fall tradition of transferring \$20k into our Other Post Employment Benefits (OPEB) Trust Fund (Retiree's Health Insurance Benefits). We are currently able to budget for our OPEB obligations out of our annual budget, but our working on saving in a separate trust fund in order to be fiscally responsible and work towards meeting our total future obligations.

ARTICLE 7 Voted: On a motion of John Mulhall to vote to transfer from the Stabilization Fund the sum of \$20,000 to the Town's Other Post Employment Benefits (OPEB) Trust.

Unanimous two thirds vote passed

ARTICLE 8

To see if the Town will vote to accept as a public way the subdivision road known as Hemlock Drive as shown on the plan entitled "Cashman Hill Estates" Subdivision Plan of Land in Ashburnham, MA Drawn for Benjamin Builders, Inc. prepared by McCarthy Engineering, Inc. dated January 3, 2006 recorded in the Worcester North District Registry of Deeds in Plan Book 5267 Page 257 and Book 5526 Page 100, or act in relation thereto.

MOTION MADE BY: Rosemarie

Kyle

SUPPORTED BY:

Motion: I move the Town to vote to accept as a public way the subdivision road, regardless of road or drive, known as Hemlock Drive as shown on the plan entitled "Cashman Hill Estates" Subdivision Plan of Land in Ashburnham, MA Drawn for Benjamin Builders, Inc. prepared by McCarthy Engineering, Inc. dated January 3, 2006 recorded in the Worcester North District Registry of Deeds in Plan Book 5267 Page 257 and Book 5526 Page 100.

SELECTMEN	ADVISORY RECOMMEND:	CAPITAL PLAN COMMITTEE RECOMMEND:	TAX RATE IMPACT:
	Yes	Yes	...

Opposition:
None

This article will allow the Town to accept Hemlock Drive which is the road that is contained within the approved subdivision of Cashman Hill Estates. In order to be eligible for Town Acceptance, the road had to have met minimum obligations and been approved by a number of boards, committees, and departments: Conservation, AMLP, DPW, and Planning Board.

Opposition:
None
On a motion of Rosemarie Eldridge Meissner to vote to accept as a public way the subdivision road known as Hemlock Drive, which is the road that is contained within the approved subdivision of Cashman Hill Estates, based upon what the "accepted plan" states.

Ballot: Vote passes unanimously

Motion: None

To see if the town will vote to amend the zoning by-laws of Ashburnham by adding a new Chapter 5.22, "Recreational Marijuana," as written in attachment A, or act in relation thereto.

Motion MADE BY: Kyle

SECONDED BY:

John

MOTION:

I move that the Town vote to add a new zoning bylaw addressing recreational marijuana to the the Town's zoning bylaw as written in Attachment A.

SELECTMEN	ADVISORY	CAPITAL PLAN COMMITTEE	TAX RATE
RECOMMEND:	RECOMMEND:	RECOMMEND:	IMPACT:
Yes	Yes	N/A	--

EXPLANATION:

Roger Hoyt will speak to this Article.

Article 9 Voted:

On a motion of Kyle Johnson to vote to add a new zoning bylaw addressing recreational marijuana to the Town's zoning bylaw as written in Attachment A with some revisions to the citations which will be provided by Town Counsel.

Two thirds majority passed

ARTICLE 10

To see if the town will vote to amend the general by-laws of Ashburnham by adding a new Chapter _____, "Public Nuisances," as written in attachment B, or act in relation thereto.

MOTION MADE BY: Bill Johnson

Rosemarie

SECONDED BY:

MOTION:

I move that the town vote to add a new bylaw addressing nuisances to the town's general bylaws as printed in the attachment B with the changes highlighted.

A TRUE COPY. ATTEST

Middle M Johnson

TOWN CLERK

TOWN OF ASHBURNHAM, MA

SELECTMEN	ADVISORY	CAPITAL PLAN COMMITTEE	TAX RATE
RECOMMEND:	RECOMMEND:	RECOMMEND:	IMPACT:
Yes	Yes	N/A	--

EXPLANATION:

Bill Johnson will speak to this Article.

Article 13 Voted: On a motion of Bill Johnson to vote to add a new bylaw addressing nuisances to the town's general bylaws as printed in the Attachment B with the changes highlighted.

UNANIMOUS Majority Vote No/Defeated

Meeting adjourned at 8:52 P.M.

Respectfully submitted,

Michelle M. Johnson, Town Clerk

A TRUE COPY, ATTEST

Michelle M. Johnson
TOWN CLERK
TOWN OF ASHBURNHAM, MA